



Alan C. Milstein
Direct Dial 856-661-2078
Facsimile 856-488-4744
amilstein@shermansilverstein.com

January 8, 2016

Via Electronic Case Filing

The Honorable Charles R. Breyer, U.S.D.J.
United States District Court for the Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

**Re: In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products
Liability Litigation
Docket No. 15-MD-2672
Application of Alan C. Milstein for Appointment to the Plaintiffs' Steering
Committee**

Dear Judge Breyer:

Pursuant to Pretrial Order No. 2, I hereby submit this application for appointment to the Plaintiffs' Steering Committee.

I am Chairman of the Litigation Department at Sherman, Silverstein, Kohl, Rose, and Podolsky, P.A., a law firm in Moorestown, New Jersey. We are recognized nationally for handling complex product liability matters, and are considered pioneers in the field of clinical trial litigation. We are currently involved in litigation throughout the country, including New Jersey, New York, Pennsylvania, Alabama, California, Idaho, Connecticut, Minnesota, Oregon, and Texas. These cases involve such diverse issues as product liability, clinical trial litigation, pharmaceuticals, and consumer class actions. We are, accordingly, well-versed in both federal and state procedure and laws.

Personally, I received my J.D. from Temple University School of Law in 1983, and am currently admitted to the bars of New Jersey, New York, and Pennsylvania. I have been invited to lecture at more than twenty law schools and medical schools, including those at Harvard, the University of Pennsylvania, and Stanford, on such issues as tort law, class actions, and bioethics. I have published two law review articles, as well as several columns in the *National Law Journal*, and teach Bioethics every fall at Temple University.

I have had the privilege of serving as a member of the Plaintiffs' Steering Committee in *In Re Propecia (Finasteride) Products Liability Litigation* currently pending in the United States

308 Harper Drive • Moorestown, NJ 08057 • T: 856.662.0700 • F: 856.662.0165 • shermansilverstein.com
Pennsylvania Office • 11 Bala Avenue • Bala Cynwyd, PA 19004 • T: 215.923.2513

SHERMAN, SILVERSTEIN, KOHL, ROSE & PODOLSKY, P.A.

The Honorable Charles R. Breyer, U.S.D.J.

January 8, 2016

Page 2

District Court for the Eastern District of New York. From this experience I have learned how important it is in a case like this one to have a diverse steering committee and strong leadership.

Currently, I represent the plaintiffs in *Nita Singh and Frank Mosca v. Volkswagen Group of America, Inc.*, which was filed in the United States District Court for the Eastern District of Pennsylvania at Docket No. 15-0601, and subsequently transferred to this Court on or around December 21, 2015. It would be my privilege to apply my experience to all of the plaintiffs' common benefit here, and, if appointed, I will commit my personal and firm's time and resources to so serve. I would welcome the opportunity to serve on the Plaintiffs' Steering Committee and support the lead counsel.

With respect to the specific items identified in Pretrial Order No. 2:

(1) Experience and Court Appointments

As described above, I currently am a member of the Plaintiffs' Steering Committee in the *In Re Propecia Products Liability Litigation*. I have also litigated a number of class actions on diverse issues, including Y2K litigation, junk faxes, and product liability.

(2) Contact Information for Judges Presiding over the Cases Referenced in Item 1

Judge Jerome B. Simandle, U.S.D.J., United States District Court for the District of New Jersey.

Judge John Gleeson, U.S.D.J., United States District Court for the Eastern District of New York.

(3) Willingness and Ability to Immediately Commit to Time-Consuming Litigation

I will personally make myself, needed support staff, and associates requested by lead counsel available for any assignment.

(4) Willingness and Ability to Work Cooperatively with other Plaintiffs' Counsel and Defense Counsel

I have a proven track record of working well with others in the many class and mass torts actions.

(5) Access to Resources to Prosecute this Litigation in a Timely Manner

My firm possesses ample resources, in terms of personnel and funding, to prosecute this case in a timely and efficient manner.

(6) Willingness to Serve as a Member of the Steering Committee

Yes.

The Honorable Charles R. Breyer, U.S.D.J.

January 8, 2016

Page 3

(7) Category or Categories of Plaintiffs to be Represented

I would be privileged to serve as a member of the Plaintiffs' Steering Committee for any one of the subcategories of claimants.

(8) Further Qualifications to be Considered

Over the course of thirty-two years of practice, I have the opportunity to teach, lecture, and write on various topics related to trial practice, human subjects protection, sports law, class actions, mass torts, bioethics, and product liability.

Respectfully submitted,

SHERMAN, SILVERSTEIN, KOHL, ROSE & PODOLSKY
A Professional Corporation

/s/ Alan C. Milstein
Alan C. Milstein

cc: All counsel of record (via ECF only)